



UP-3728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 20 2001
TECHNOLOGY CENTER R3700

BET
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#4/105

In re application of: Jonathan Stanley Harold Denyer
Anthony Dyche
Serial No.: 09/781,610
Filed: February 12, 2001
Assignee: Medic-Aid Limited
Title: Improvements In And Relating To Controlling Drug Delivery Apparatus

Docket: 102199-200 2001
Art Unit: 3728
Examiner: Not Yet Assigned

Certificate of Mailing

Date of Deposit June 13, 2001.

I hereby certify under 37 CFR 1.8(a) that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, DC 20231.

Signed:

Name: William A. Simons

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

Dear Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, please find enclosed an Information Disclosure Statement, Form PTO-1449 and one copy of each cited reference. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$240.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$240.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any

individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).

- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,
Jonathan Stanley Harold Denyer et al.



William A. Simons
Reg. No. 27,096

Date: June 13, 2001
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Signed:

Name: William A. Simons

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

Dear Sir:

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to make of record the items on attached PTO Form 1449 which were considered in the preparation of the subject application. Copies of the items are provided in accordance with 37 CFR §1.98.

1. U. S. 3,741,208 entitled "Lung Ventilator," by Björn Jonsson, et al., issued on June 26, 1973.
2. U. S. 4,533,082 entitled "Piezoelectric Oscillated Nozzle," by Naoyoshi Maehara et al., issued on August 6, 1985.
3. U. S. 4,819,629 entitled "Method and Apparatus For Delivering Aerosol To The Airways And/Or Lungs Of A Patient," by Björn Jonson, issued on April 11, 1989.

4. U. S. 4,832,012 entitled "Intermittent Signal Actuated Nebulizer," by Otto G. Raabe, et al., issued May 23, 1989.
5. U. S. 5,261,601 entitled "Liquid Dispensing Apparatus Having A Vibrating Perforate Membrane," by Calvin J. Ross, et al., issued November 16, 1993.
6. U. S. 5,549,106 entitled "Inspiratory Airways Pressure System Using Constant Pressure And Measuring Flow Signals To Determine Airway Patency," by Roger A. Gruenke, et al., issued on August 27, 1996.
7. U. S. 5,584,468 entitled "Privacy Inserts For Chain Link fences," by Don A. Meglino, et al., issued December 17, 1996
8. U, S. 5,694,920 entitled "Inhalation Device," by Andrew L. Abrams, et al., issued December 9, 1997.
9. U. S. 5,823,179 entitled "Nebulizer Apparatus and Method," by Jerry R. Grychowski, et al., issued October 20, 1998.
10. U. S. 6,116,233 entitled "Drug Delivery Arrangement," by Jonathan Stanley Harold Denyer, et al., issued September 12, 2000.
11. EPO 0 627 266 entitled "Nebuliser," by John Stanley Harold Denyer, filed June 3, 1994.
12. EPO 0 667 168 entitled "An Inhalation Training Device," by Ted W. Lanpher, et al., filed February 14, 1994.
13. UK Patent Application 2 077 444 entitled "Determining At Least Two Parameters Of A Patient's Respiratory System," by Reiner Bäuerle, filed June 5, 1981.

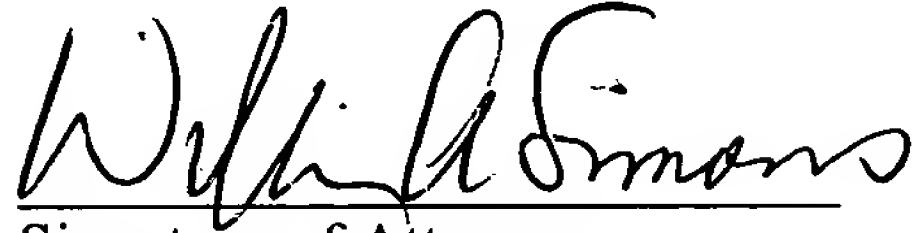
14. UK Patent Application 2 294 402 entitled "Apparatus For Administering A Measured Dosage Of Fluid Medicament," by Jonathan Stanley Harold Denyer, et al., filed October 27, 1995.
15. WO94/07607 published PCT Application entitled "Atomising Nozzle and Filter and Spray Generating Device," filed September 28, 1993.
16. WO96/13292 Published PCT Application entitled "Device and Method of Creating Aerosolized Mist Of Respiratory Drug," by Lester J. Lloyd, et al. filed October 27, 1995.
17. WO97/29851 Published PCT Application entitled "Liquid Supply Apparatus," by Andrew J. Sant, et al., filed February 10, 1997.
18. WO97/48431 Published PCT Application entitled "Dispensing System," by Jonathan Stanley Harold Denyer, et al., filed June 20, 1997.
19. Jonathan Stanley Harold Denyer, et al., "Breathing Patterns In Adult Patients," ISAM FOCUS SYMPOSIUM: Aerosol Therapy With Small Volume Nebulizers: Laboratory To Bedside; September 4-5, 1996, Tours, France.

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as representation that no better art exists or that a thorough patentability search has been made.

Date: June 13, 2001
Reg. No. 27,096

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Respectfully submitted,
Jonathan Stanley Harold Denyer, et.
al.

A handwritten signature in cursive script, appearing to read "William A. Simons".

Signature of Attorney

William A. Simons

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